

<

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Walker et al.

Serial No.: 10/663,684

Filed: September 17, 2003

Title: Needle with Fiberopotic Capability

Attorney Docket No.: ISR00-10 19

Group Art Unit: 3736

Examiner: Matthew J. KREMER

United States Patent and Trademark Office Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22314

SECOND INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

<u>X</u>	under 37 CFR 1.97(b), or (Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
<u>X</u>	under 37 CFR 1.97(c) together with either a: X Statement under 37 CFR 1.97(e), or a \$180.00 fee under 37 CFR 1.17(p), or (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
	under 37 CFR 1.97(d) together with a: Statement under 37 CFR 1.97(e), and a \$180.00 fee set forth in 37 CFR 1.17(p). (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

Applicants submits herewith Form PTO/SB/08a Information Disclosure Statement by Applicant(s) listing U.S. published patent applications of which Applicants are aware, which Applicants believe may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR

1.56. Copies of the U.S. patent application publications are not provided pursuant to the August 5, 2003 Official Gazette Notice.

Certification under 37 CFR 1.97 (e)

No item of information contained in the Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification no item of the information contained in the Information Disclosure Statement was known to an individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information Disclosure Statement.

Request under 37 CFR 1.704 (d)

Each item of information contained in the Information Disclosure Statement was not learned of by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement. Although the art did not originate from a counterpart patent application in a foreign patent office, Applicants request the benefit of 37 CFR 1.704(d) as the submitted information was learned of in the last thirty days.

Neither this statement nor the listing of these documents on the accompanying Form PT0/SB/08a should be considered as an admission buy Applicant(s) that these materials are prior art as to Applicant(s). In addition, this statement should not be construed as a representation that no better disclosure exists.

Entry of the Information Disclosure Statement and the accompanying Form PTO/SB/08a are respectfully solicited.

Respectfully submitted,

George A. Metzenthin, Reg. No. 41,995

CAHN & SAMUELS, LLP

2000 P Street, N.W., Suite 200

Washington, DC 20036 Telephone: (202) 331-8777

Facsimile: (202) 331-3838

March 8, 2005

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known		
				Application Number	10/663,684	
INFORMATION DISCLOSURE				Filing Date	September 17, 2003	
STA	TEMENT E	SY APPLI	CANT	First Named Inventor	Walker et al.	
(use as many sheets as necessary)				Art Unit	3736	
				Examiner Name	Matthew J. KREMER	
Sheet	11	of	1	Attorney Docket Number	ISR00-10 19	

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Document Number Publication Number - Kind Code ² (if known)		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	D	US-2002/0107448 A1	08-08-2002	GANDJBAKCHE, Amir et al.		
		US-2003/0216663 A1	11-20-2003	JERSEY-WILLUHN, Karen et al.		
	<u> </u>	US-				
		US-		, ₁₉₁₀		
		US-				
.1		US-				
	<u></u>	US-				
	ļ	US-				
	<u> </u>	US-				
		US-			***************************************	
	ļ	US-				
		US-				
I		US-				
	<u> </u>	US-				
		US-				
		US-				
		US-				
		US-				
	L	US-				
	I	US-				

	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ₆		
			•••••••					

Examiner		Date	
Signature	0.00	Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Senter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Find of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached. Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. Washington, DC 20231.